

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

-----	X	
Henry Mandel, on behalf of himself and all others similarly	:	
situated,	:	
	:	
Plaintiffs,	:	No. 3:11-CV-120-REP
vs.	:	
	:	
James B. Crawford, Robert H. Foglesong, Richard M.	:	
Gabrys, Robert B. Holland, Bobby R. Inman, Dan R. Moore,	:	
Baxter F. Phillips, Jr., Stanley C. Suboleski, Linda J. Welty,	:	
Massey Energy Company, and Alpha Natural Resources,	:	
Inc.,	:	
Defendants.	:	
-----	X	

**DEFENDANTS' MOTION TO STAY PROCEEDINGS PENDING RESOLUTION OF
THE SAME SHAREHOLDER CLASS ACTION CLAIMS PENDING BEFORE THE
DELAWARE CHANCERY COURT**

Defendants, by counsel, for the reasons stated in the accompanying Memorandum of Law, move the Court to stay all claims pending resolution of the proceedings in the Delaware Chancery Court based on the Court's inherent powers and the principles set forth in Colorado River Water Conservation District v. United States, 424 U.S. 800 (1976).

Respectfully submitted,

ALPHA NATURAL RESOURCES, INC.

By:

/s/ Robert M. Rolfe

Robert M. Rolfe, Counsel

Robert M. Rolfe (VSB No. 15779)
Erin L. Barrett (VSB No. 74928)
HUNTON & WILLIAMS LLP
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, Virginia 23219
(804) 788-8466
rrolfe@hunton.com

Mitchell A. Lowenthal
Boaz S. Morag
CLEARY GOTTlieb STEEN & HAMILTON
LLP
One Liberty Plaza
New York, NY 10006
(212) 225-2000

Michael R. Lazerwitz
CLEARY GOTTlieb STEEN & HAMILTON
LLP
2000 Pennsylvania Avenue, NW
Washington, DC 20006
(202) 974-1500

*Attorneys for Defendant Alpha Natural Resources,
Inc.*

/s/ Timothy J. St. George

Alan D. Wingfield (VSB No. 27489)
Timothy J. St. George (VSB No. 77349)
TROUTMAN SANDERS LLP

1001 Haxall Point
P.O. Box. 1122
Richmond, VA 23218-1122
Telephone: (804) 697-1254
Facsimile: (804) 698-6013
alan.wingfield@troutmansanders.com

CRAVATH, SWAINE & MOORE LLP

Stuart W. Gold

Julie A. North

825 Eighth Avenue

Worldwide Plaza

New York, NY 10019-7475

Telephone: (212) 474-1000

Facsimile: (212) 474-3700

*Attorneys for Defendants Massey Energy
Company, James B. Crawford, Robert H.
Foglesong, Richard M. Gabrys, Robert B. Holland,
Bobby R. Inman, Dan R. Moore, Stanley C.
Suboleski, and Linda J. Welty*

/s/ Stephen E. Baril

Stephen E. Baril (VSB No. 19604)

SANDS ANDERSON PC

1111 E. Main Street, Suite 2300

Richmond, VA 23219-2906

Telephone: (804) 783-7234

Facsimile: (804) 783-7291

SBaril@SandsAnderson.com

Attorneys for Defendant Baxter F. Phillips, Jr.

CERTIFICATE OF SERVICE

I certify on this 11th day of March, 2011, I filed a copy of the forgoing with the Court's ECF filing system, and thereby served a copy of this instrument to the following attorneys:

Daniel Cohen, Esq.
Robert Cynkar, Esq.
Cuneo, Gilbert & LaDuca LLP
106-A South Columbus Street
Alexandria, Virginia 22314

Joe Kendall, Esq.
Jamie McKey, Esq.
Kendall Law Group LLP
3232 McKinney Avenue
Suite 700
Dallas, Texas 75204

/s/ Robert M. Rolfe

Robert M. Rolfe, Counsel